

NURSE GETS DURYEA WEALTH

SISTER ABANDONS CONTEST AND WILL IS PROBATED.

Langer Says Miss Peregrine, Who Nursed Mar With Broken Neck for 12 Years. will Receive About \$200,000 Bequests to Relatives and Institutions.

gainst the will of the late Walter E. Durves on July 15 by his sister, Mrs. Eva and the corporation will be tried. Thalberg, was withdrawn on Tuesday and the document was admitted to probate vesterday at Mineola, L. I. Miss Eleanor Peregrine, the nurse who was in attendan accident in which his neck was broken, will receive the fortune which was bequeathed to her.

T. Ellet Hodgskin of 20 Nassau street. attorney for the executors of the will, the another cold storage house, they said. People's Trust Company and R. Percy Chittenden, said yesterday that the reason for the withdrawal of the opposition to the will was a provision which cut off any of the beneficiaries who should contest it. The lawyer informed Mrs. Thalberg of this paragraph, he said, and at once received notice that the contest was abandoned.

The estate, Mr. Hodgskin continued. instead of amounting to several million dollars, has a total value of about \$700,000. and of this Miss Peregrine will receive about \$200,000. Other beneficiaries are the testator's three sisters and their children, numerous relatives and friends of Mr. Duryea and several charitable nstitutions and hospitals.

Walter E. Duryea was the son of Edgar Duryea, the starch manufacturer. He took a keen interest in sports and was himself something of an athlete. In into shallow water at Glen Cove. His life was despaired of but he made a remarkable recovery from an operation performed by Dr. Charles McBurney and lived for almost twelve years after the attended by a nurse. Miss Peregrine was all the money in the world." with him until the time of his death. May 11, 1911.

Edgar E. Duryea died in 1900, leaving in trust 1200,000 for his son, whom he expected not to live. The will provided. however, that should Walter E. survive years the remainder of the estate should fall to him. Walter Duryea under His wife gets \$25,000. The farm contains this provision inherited about \$800,000. 240 acres. Baker has managed it for The will was fought bitterly by Duryea's sisters and it was said at the time of his death that he never had forgiven them. them and their children \$50,000 and Mr. Duryea, it is said, gave as his reason for not bequeathing more to his sisters the fact that they already had inherited \$100,000 from their father

The second provision of the will says "I give and bequeath to Eleanor Peregrine \$50,000 absolutely, such sum to be he first charge on my estate after the payment of my just debte." In a later provision Miss Peregrine is made the esiduary legatee "in manifestation of my appreciation and esteem for a faithful and true friend, lovally and unselfishly devoted for many years to my interests; and I will direct my executors to give her all or any part of my personal property Y., and in the house No. 169 Loraine avenue, Upper

f in my will." Miss Peregrine also is made beneficiary of all the residuary estate. This, including Mr. Duryea's two houses, is said to amount to about \$150,000.

Paragraph 34 of the will provides that "if my sister or sisters or any other beneficiary of my will shall be concerned directly or indirectly in contesting my will or any of its provisions, in that event all legacies, gifts or provisions herein made to or for my sister or sisters and each of the children of the sister so contesting, or any beneficiary so contesting, shall lapse and become void, and the said egacies, gifts or provisions shall become part of my residuary estate and shall be usposed of accordingly."

From a trust fund of \$140,000 which is et aside Miss Peregrine is to receive the ncome of \$30,000 for life and at her death the sum is to be divided equally among tain beneficiaries. The two children of Mrs. Grace E. Sprigg, one of Duryea's sisters, receive \$50,000 each. They are Julia and James C. Sprigg. Marcia and Julia Eleanor Cox, daughters of another sister, receive \$5,000 each. The will directs that these four funds and the income from them be put in trust until the children are 14 years old. when the inome is to be devoted to their education They are to receive the money outright en they attain the age of twenty-one Mrs. Eva Thalberg receives \$10,000 and an oil portrait of her father and Mrs. Marcia ox gets an equal sum and an oil paintbrigg is left \$20,000 and a painting of her and various other personal effects are left to his nephews and nieces

Other personal bequests are \$2,000 to Henry T. Duryea, an uncle; \$2,000 to Frank arpenter, an uncle; \$5,000 to Elizabeth Hatfield, an assistant nurse; \$500 to Mrs. F. Mohler of Lincoln, Neb., who was Duryea s governess; \$10,000 to Arthur Rich Dalton of Glen Cove; \$5,000 to Charles S. Wood of Upper Montclair, and amounts ranging from \$500 to \$1,500 to Mr. Duryea's

These are the bequests made to hosritals and other public institutions: Nas-8311 Hospital, \$25,000 outright and \$75,000 where Mr. Duryea was operated on. \$15,000 to establish three memorial beds in the men's, women's and children's wards; American Female Guardian Society and Home for the Friendless, in Manhattan, \$5,000; Mountainside Hosonvalescent and Fresh Air Home, \$2,000; he said. it. Paul's Episcopal Church of Glen Cove, \$5,000. of which \$1.000 is to be used for \$12 a week alimony. naintaining the family plot in the cemery, and \$10,000 to the Society for th Aid of Friendless Women and Children. in Brooklyn.

By statute the executors have a year in which to settle the estate.

FIRST COLD STORAGE CASE. Greenwich Company Through Its Prest

dent Waives Examination. Laurens D. Prior, the president of the Greenwich Cold Storage Company, the first company to be prosecuted under the Brennan bill, waived examination in the Ten Thousand Men Fall to Gain Admission Tombs police court yesterday both for himself, prosecuted as an individual, and for the corporation, prosecuted as such. Magistrate Krotel paroled him until this afternoon, when he is to give \$100 bail for his appearance in the Court of Special essions, where the case against himself

Inspectors Roche and Scharff of the State Board of Health submitted affidavits that on August 19 they visited the Greenwich cold storage house at 402 Greenwich street and there found fifty-six barrels of ance upon Duryea during his twelve years sardines which did not have the date of an uproar that began at dusk and lasted of almost complete helplessness following receipt on them. They warned Prior as to the time of the Matt Wells-Knockout to the law in this regard, the affidavit Brown mill late in the evening. states, and returned three days later The sardines were still unmarked. Two days later when they went back again they found the sardines had been sent to

Thomas A. Brennan, the Assemblyman who fathered the new bill, was in court acting as a Special Assistant Attorney-General.

SOME OF GATES'S BEQUESTS.

Leaves Quarter Million and an Education for His Only Nephew

CHICAGO, Aug. 30.-Henry Baker, wenty-one-year-old St. Charles, Ill. youth, is to get \$65,000 a year for attending college.

Baker was the late John W. Gates's York and made public to-day. Ten thousand dollars is to be given to the boy at once for his expenses at college and \$250,000 is awaiting his graduation.

high school until he finished his course August, 1899, he broke his neck by diving there last June. He was halfback on the football team and had positions on other athletic bodies.

"Henry is a bright boy. He is a lad who takes an interest in football as well as studies and that is the right kind." eccident. During this time, however, Mr. Gates once said. "I want the boy Mr. Duryes had practically no use of his to get an education. He will find that arms or legs and had constantly to be an education will mean more to him than

> Baker was greatly surprised when told of his bequest, but started to earn it at once. He decided to enter Harvard in the fall.

> Edward J. Baker, the boy's father and brother of Mrs. Gates, gets \$25,000 and the Silver Glen farm near St. Charles. Gates for many years

Mrs. Lucrese Angelle of St. Charles blind sister-in-law of Mrs. Gates, gets let the will probated yesterday leaves to \$100,000, while her daughter, Dolieres, 10 years old. gets \$100,000 in trust. The principal is to be given to her when she is 21 years old.

FLIRT COP" LOSES HER JOB. Police Chief Says Her Garb Would Make

Any Man Stare. Los Angeles. Aug. 30.-Miss Fay Evans, the "Flirt cop." is out of a job to-day because Chief of Police Sebastian did not like the clothes she wore

When Miss Evans brought about the arrest of nine mashers in three days Chief Sebastian sent for her to inquire into her unusual success.

When she reported Miss Evans wore a light colored lace dress stockings, large sleeved black silk wrap Montclair, N. J., not otherwise disposed lined with silk of brilliant red and collar and cuffs of the same hue. This was topped with a tall black domino hat the

size of a peck measure. are discharged."

NO SECRETS IN THE AIR. Wire less Messages May Be Captured 'a

Pleasure, Says Court. Los Angeles. Aug. 30.-Judge Walter Bordwell to-day held that Edwin T. Earl. owner of the Los Angeles Express and the the window. Some bought even after Los Angeles Tribune, violated no law when this second advance, clawed into the he published in his newspapers on July 31 building, found that there was only wedge last a wireless message caught from the air by three boys.

Earl was indicted and his prosecution attempted under a law enacted before wireless telegraphy came into use. Judge the interception of an aerogram a crime. If a man has apparatus he may take from the air any message that passes. Only such messages may be prosecuted for divulging them, according to Judge Bord-

HOME TREATMENT FOR A WIFE.

Goldner Says He Fined Her \$200 for "Disorderly Conduct"-In Court She Wins. Herman Goldner, an embroidery manuan application made by his wife before under protest had to ride to the Tendersisters and brother. Mr. Duryea's watch Supreme Court Justice Delany for alimony join station with the prisoner, and as the and counsel fee pending her suit for a purse and \$2 were held as evidence Frank separation, said that he tried every way he could think of to compel his wife to the memory of the fact that he will have treat him and his two children by a former to appear in court as complainant this wife kindly and that when everything morning. else failed he fined her \$200 for disorderly conduct.

Goldner said that his wife drew \$185 from her bank account to pay the fine but refused to give him more than \$150 of it, saying that she needed the other \$35 for lace curtains. Mrs. Goldner denies that she was fined, but said that her husband got the \$150 and nearly \$1,500 more from her to put into his business Mrs. Thalberg dies; Children's Home promising to pay her interest. She never of Mineola, \$5,000; Roosevelt Hospital, got the interest and the money is still due her, she said.

Goldner also alleged that his wife se up such a screaming one night that a policeman came to find out what was the matter and Goldner begged the policeman to take him to the station house so Montclair. \$7,000; Polytechnic In- he could get one good night's rest. His stitute of Brooklyn, \$15,000; Montclair wife wouldn't let the policeman take him.

Justice Delany granted Mrs. Goldner

SPECIAL TRAINS FROM
ATLANTIC CITY LABOR DAY.
Leave Atlantic City for Pennsylvania Station
New York, Pennsylvania Railroad, Monday, Sep.
tember 4, 4:00 P. M. Parior cars and dining car
5:30 P. M. parior cars, dining car and coaches.—
After

A MOB STORMS THE GARDEN

RAINSOAKED FANS REEL IN SWIRLING UPROAR.

to Wells-Brown Go Clothes Torn and Devotees Battered-Ticket Prices Soar Police Barred From Building.

town has seen since the days of the Horton bill scraps everlastingly twisted the Madison Square Garden main and side entrances, the surrounding streets, even the park, and disrupted the tempers of rainsoaked fight fans and cops during

Fully 10,000 men couldn't get into th Garden, but tried steadily nevertheless until in many cases evening clothes were torn and ripped, hats smashed and the men some of whom had their tickets ready before reaching the main entrance but couldn't fight their way indoors gave up in disgust and crawled out of the swirling uproar and went home.

According to the new law Inspector Leahy and his policemen had to stay out of even the lobby, where the fighting jam stretched from wall to wall and where there were only two ticket sellers to try to accommodate the mob. An hour and a half before the doors opened at dusk the only nephew and was a favorite. The line at the Twenty-sixth street general money for his education is arranged in admission door stretched around to the Gates will, read in private in New Fourth avenue and up to Twenty-seventh street.

The inspector took a look upon arriving and sent for the reserves of the old Baker was a student in the St. Charles and new Twentieth street station houses and the Tenderloin station reserves Before the reserves got to the Garden the obby was choking to death with massed

humanity. The management closed the Twentysixth street entrance half an hour afte they had begun to sell tickets at a dollar a head there. The watersoaked line sent up an explosive protest and the foremos banged at the door. Another half hour bassed and now this entrance was opened again and the news sent out that the price of a general admission ticket had peen boosted to \$3.

More uproar and mixups, but the ticket men stuck to the boosted price. Men who had waited in the rain for hours clutching heir only dollar bills argued, were re-

buffed and finally turned away cursing. Automobiles now were piling up to the main entrance in Madison avenue and white shirted folks, feeling secure in that they had got good tickets in advance started for the entrance, only to find that hey were trying the impossible in at empting to fight their way to the ticket Inspector Leahy now threw a police line entirely around the building to seep out all late comers who did not have ickets in advance, with the result that the clawing and shouting now extended far out in the park and up and down side streets back of the blue coated line "A disgrace, a disgrace!" cried Inspecto

McClusky as he visited the scene unofficially at the height of the excitement. It's the old days and the old game over again. This disorderliness shows the reakness of the law in not permitting the police at least to enter the lobbies of buildings where fights are being held." Out of the bubbling main lobby sud denly burst a band of busy ticket specu ators. The police grabbed four of them then locked them up. Inside the lobby however, was a wiser speculator band with bunches of high priced tickets where the police could not get at them to stop

court by Magistrate McQuade.

When the Garden was quite jammed th icket sellers bulled the market again. "Five dollars now." the ticket men told might have a candidate of its own. bedraggled individuals who after fighting their way by inches at last had reached room behind a solid wall of humanity and fought their way to the open again \$5 out, run down at the heel, sore on the world and battered.

In the mélée in the main lobby Lieut. Bordwell holds there is no law that makes Gleason of the special court squad felt a hand tugging at his hip pocket. He grabbed the hand and locked up all that was attached to it, Frank Mitchell. employees of the company transmitting who said he lives at the Hotel Plymouth in West Thirty-eighth street.

Frank Green, who came from Rockland ounty to see the fight, was asked in the lobby by two detectives whether he had lost his purse. He laughed, but later Frank discovered that, by gum, the constables were right. The detective grabbed the man behind Frank, Harry Allen of 203 East Fourth street, and Frank facturer at 57 Fifth avenue, in opposing claimed a \$2 bill found on Allen. Frank at midnight had only his ticket home and

"Oh, yes, I've seen worse things of ort," said a police official about 10:20 o'clock as he surveyed the smeary battlefield, "but I don't know where. It was

SLAG PILE WORTH \$1,000,000. True Worth of Old Colorado Dump Revealed by Court Quarrel.

DENVER, Aug. 30.—The slag pile of the Argo smelter, built in the early days by the late United States Senator Hill, was recently sold for \$30,000. The buyers testified that the smelters are paying \$5 to \$10 a ton for the slag. Several witnesses testified that the 100,000 tons of slag is worth \$1,000,000.

The Argo smelter, long since abandoned y Senator Hill's heirs, was profitable, but the ancient process it used in reducing ores failed to recover the values. The alag pile contains gold, silver and copper.

ROYAL SPECIAL" 4 "ROYAL LIMITED." Fastest down town trains to Baltimore and Washington. Leave Liberty Street 2 P. M. and 4 P. M. Magnificently equipped. Steel framed coaches. Pullman Parior Cars. Observation Cars and Dining Cars.—Ade.

KING MAY VISIT U. S. Albert of Belgium Is Working to Create a Mercantile Marine

Special Cable Despatch to THE SUN.
BRUSSELS, Aug. 30.—It is possible that King Albert will pay a visit to America n the near future with a view to promoting his cherished scheme to create a national mercantile marine so that Bel-

gian freights may be carried in Belgian pottoms instead of in foreign ships. King Albert has been holding conferences with those interested. He has no found them excessively enthusiastic bu he hopes to be able to carry out his scheme

partly by means of private capital and partly by State aid. He is now planning a tour of the principal seaports of Europe. The visit to America may come later.

THE OREGON AFLOAT AGAIN Famous Battleship, Reconstructed, Re-

Joins the United States Navy. TACOMA, Wash., Aug. 30 .-- With officers of the Puget Sound navy yard and the crew of the Pennsylvania assembled or her quarter deck the battleship Oregon was placed in commission at Bremerton to-day and turned over to Capt. C. F. Pond, commanding officer of the Pacific eserve fleet.

The Oregon looked as fit for action as on the day she left this yard early in 1898 on her race around Cape Horn. She has been out of commission and undergoing

repairs for six years. On the arrival of Rear Admiral Cottman Commander Robertson, captain of the navy yard, and Capt. Pond, the Penn sylvania band struck up "The Star Spangled Banner" and the Oregon's flag was hoisted astern. Capt. Pond read the orders of the Navy Department commissioning the Oregon.

The Oregon is now the second ship of he Pacific reserve fleet. She carries a early this morning. skeleton crew of 150 men, supplied by the cruiser Pennsylvania, flagship of the reserve fleet. The famous old craft has been reconstructed and modernized. She has wireless, a new military mast, a fire control system and the latest appliances

KNOW MAN WHO HAS MONA LISA? Collector Locb Says That a Wealthy West

erner Is Under Suspicion. wealthy American, according to ollector of the Port William Loeb, Jr. s suspected of having in his possession the "Mona Lisa." Leonardo Da Vinci's famous painting recently stolen from he Louvre. The Collector said that foreign agents of the United States had the American under surveillance. He is from a city of the West and is an intense admirer of the painting. The Collector said he could not make the name of the man public, but that he was an art connoisseur. He had talked much about the painting. It was expected that he would arrive here on Tuesday by the North German Lloyd liner but he did Mr. Loeb intimated that the man had eluded his watchers, but that as he is very well known it is not likely that he nto America without being found out.

The fact that the painting is on wood will make it very difficult for the man who has it to bring it into this or any other American port. All the customs force of the country, in Atlantic and Pacific ports, are on the lookout for the man and the painting. The United States authorities and the French are working together abroad on the case, and it is said that the reason no effort will be made to arrest the man suspected is because of lack of positive evidence.

WILSON BOOM DROPS IN Asks a Kindly Word From Charles F

Murphy and Falls to Get It. A delegation of New Jersey Democrats headed by Congressman Kinkead of Hud-"It's all very plain to me now," re- the police could not get at them to stop headed by Congressman Kinkead of Hud-marked Chief Sebastian. "That getup the illegal traffic. The four speculators son county called on Charles F. Murphy would make most any man stare. You arrested were fined \$3 each in the night at Tammany Hall yesterday to ask his elp in the movement to make Gov. Wilson "That's easy," laughed one who gave of New Jersey the Presidential nominee his name as Harry Steinberg, paying his next year. Mr. Murphy refused to commit himself. He told the delegation that it was too early for Tammany to tie itself to any candidate and that New York

DESTROYER HITS A SCHOONER. The Mayrant Has Her Bow Badly Smashe Off Cape Cod.

BOSTON, Aug. 30.—The boat destroyer Mayrant had her bow badly smashed in a collision with the five masted schooner Dorothy B. Barrett. outward bound, off Cape Cod this forenoon. The weather offshore is very thick, but as yet no explanation of the collision has been given.

The destroyer, which is one of a fleet ordered here in connection with the aviation meet, came up to the navy yard t Charlestown, where an examination and repairs will be made.

The Barrett is equipped with wireless and notified several shore stations of the accident while she proceeded on her way.

SHELLS JUST MISS CRUISER Shots From Delaware's Big Guns Lan Near the Panther.

NORFOLK, Va., Aug. 30.-The auxiliary cruiser Panther came near being shot to pieces during the destruction of the old battleship San Marcos at Tangier Sound last Monday. The Delaware opened on the San Marcos with her ten 12 inch guns. The Panther was seven miles away. The Panther had on board several moving picture men, who were permitted to take views of the destruction of the San Marcos. One of these man said

"I don't mean that the Delaware inten tionally took us for a target, but I do mean to say that three of the Delaware's big shells came our way. The first one, the thirty-first shot supposed to have been fired at the old Texas, struck within 125 yards of the Panther and ricochetted over our vessel.

"The next shot came within 100 yard quarrelled and to-day in court it was of us, and the next one within seventy-five yards, and it looked like we would certainly be struck, as the range was coming neare and nearer with each shot.

"Just how it happened I am not pre pared to say, but our wireless was got to work quickly and we were thus saved It is supposed that as the Panther's rig made her at seven miles away look like the old Texas the Delaware people got the two vessels mixed

The Panther carried 500 men

HARKNESS YACHT ON A ROCK

FAMILY AND GUESTS MAROONED IN LAKE SUPERIOR.

The Gunilda Runs Upon an Obstruction in a For Owner Goes Ashore and Arranges for Wreckers to Pull Vessel Into Deep Water Guests in No Danger

CLEVELAND, Aug. 30.-W. L. Harkness and his family of this city and two guests named Harding of New York are maooned on the \$100,000 steam yacht Gunilda on the north shore of Lake Superior. The yacht stranded this morning in a

neavy fog and will have to be handled y a wrecking crew.

Harkness made his way to Rossport. Ont., a small town five miles from the scene of the accident, and summoned help Until he can get back with a boat the rest of the party must stay on board, as they cannot make the trip along the rugged shore with Mrs. Harkness and her two small children

George Russell, 7008 Euclid avenue, a brother-in-law of Harkness, was notified by telephone of the wreck and wreckers have been sent to salvage the vessel.

The yacht Gunilda, left here on July 19 with Harkness and his guests and started for Georgian Bay, where Mrs. Harkness and her two children. Louise, 9 years old, and Billy, 5 years old, were taken on board.

The cruise was uneventful until the vacht was about five miles east of Rossport, Ontario, where it ran onto a rock

The boat is not leaking and is fast in six feet of water. Harkness from Port Arthur sent a telegram to the underwriters, Johnson & Higgins of New York, who have insured the vessel for \$100,000, and a wrecking crew has been sent out from Port Arthur by the Canadian Robert Curr is in charge of the wrecking

The Gunilda has been in Harkness' ossession for seven years and her master s Capt. Alexander Corkum.

"The people on board are in no danger as far as we can find out from despatches. said Mrs. Russell at her country home in Wickliffe to-day. "We do not fear for their safety."

The Russells do not know the names o the guests on the yacht.

The Harkness party had planned a cruise about the north shore of Lake Superior, and while they encountered some heavy weather Saturday and Sunday met with no accident.

The boat went on the rocks early this morning during a thick fog. The passengers were badly shaken up and were frightened, thinking that the vessel was about to sink. When they ascertained their predicament Harkness and two o will be able to dodge out of Europe and his crew went ashore and made the trip overland to Rossport, a small fishing village. Mrs. Harkness and the children being unable to make the trip overland they and the rest of the party awaited Mr. Harkness's return to the vacht.

William L. Harkness has a home at 12 East Fifty-third street, New York, and a summer home at Glen Cove. L. I. He a member of the New York Yacht Club and the Seawanhaka Corinthian Yacht Club. His vacht, the Gunilda, is 195 feet over all and has a 24.7 beam. She was built in Scotland in 1897

WON'T KILL OFF RICH MEN

"Education, agitation and organiza ion" was adopted as the best policy for hoboes at the New York convention of the International Brotherhood and Welfare Association, the official name of the hobo society, at the Manhattan Lyceum in Fourth street last night.

Dr. Ben Reitman, the "king of the hoboes," said nothing could be accomplished by the unemployed under the present system whereby capitalists control the country.

"The unemployed might as well help themselves," said Dr. Reitman, "and if a few of them are killed in doing it what's the difference?"

The other delegates to the convention thought that there was a big difference and passed a resolution indorsing the plans of J. Eads How, the "millionaire hobo," who believes in organization. How was not at the meeting, but was represented by his secretary. Alexander Law, who said the hoboes had had some experience with force and had got the worst of it. He believed that if the unemployed were properly organized they could force Congress to help them.

WOMAN DEPUTY DISAPPEARS. Authorities Seek Her to Have Financia Discrepancies Explained.

INDIANAPOLIS, Aug. 30.—The State au thorities are searching for Miss Myrtle charged that there are many irregularities in her accounts and that there are evidences of raised vouchers and forgery o seals of notaries public, for which she only can account.

In the meantime she appears to have fallen completely out of sight. It is said that vouchers were tampered

with before they reached the auditor for payment. An instance is cited of a livery bill for \$2 which was raised on the voucher to \$12. Another bill for 50 cents was raised in the voucher to \$20.50. It is also charged that a number of

to vouchers have said that the suchers were tampered with after the seals were

Stole Candidate's Signatures. It was officially announced yesterday

t the campaign headquarters of Felix . Tumulty, candidate for the Democratic shrievalty nomination, at 76 Montgomery street, Jersey City, that some-body jimmed his way into Secretary Edward J. Hart's desk a night or two ago and stole Mr. Tumulty's completed petition of nomination. The candidate's workers are now hustling to secure signatures to a new petition. ignatures to a new petition

Drinking Water and Dewey's Clarets
Haw and half, kills all germa.
T. DEWEY & SONS CO., 135 Fulton St., N. Y

NEW BRITISH STRIKE NEAR. ["COUNT DE PASSY" WEDS HERE Railroaders Want to Be Reinstated a

Once-Can't Do It, Company Says. Special Cable Despatch to THE SUN. LONDON, Aug. 30 .- The prospects of rouble with the men of the Great Eastern Railway became worse to-night. The men complain that the company is not fulfilling the agreement of August 19 and is reinstating strikers only to inferior

The local committee insists that the men be fully restored by September 1 or there will be a strike. They say also that they have appealed to the joint unions and that the executives will order again a general strike in support of their demands. They say that the Transport Workers Federation has promised its support

The Amalgamated Society of Railway the question with the Board of Trade, which advised a wait of a few days. The company says it cannot dispossess the loyal men who were promoted during the strike, but that the strikers will be reinstated at the first chance.

BIRD KILLER FINED \$100. Montelair's Chief Forester May Be Arraigned Next.

MONTCLAIR, N. J. Aug. 30 - Peter Stevens, a colored man in the employ of August 14 wrote a letter to the crown the Montclair street department, was arrested to-day on a warrant sworn out by State Game Warden Frederick G. Hall charging him with killing songbirds in this town on the night of August 17. Stevens was arraigned before Justice of the Peace Cadmus Bloomfield, and was fined \$100.

Stevens admitted shooting five starlings. Nothing was said at the hearing about the sheoting of robins, but Game Warden Hall's remark, "We haven't go through with Montclair vet." was taken as an indication that there would be more

Arresta It is probable that Chief Forester Anderson of the Montclair Shade Tree Commission, whose name was signed to the permit which Stevens displayed as his authority Towing and Wrecking Company. Capt. for shooting the birds, will be arraigned when he returns from his vacation. He s expected home on Friday

MUTINIES IN NORWAY'S ARMY Promoted by Socialist Agitators-Milltary Prisoners Released.

Special Cable Despatch to THE SUN LONDON, Aug. 30 .- Despatches from openhagen and Stockholm tell of several nutinies in the Norwegian army as the result of the socialistic propaganda.

here have been some serious riots. The officers were defied and soldiers confined in military prisons were released by force. The troubles seem mostly to ave arisen over dissatisfaction in the manner of punishment of offenders, which the soldiers have deemed too severe.

LUSITANIA'S SHORT STAY.

She Will Get Here To-morrow Night and Sall Away Sunday Afternoon, The Cunarder Lusitania, which is due ere to-morrow night with 2,000 passengers of all kinds, will coal swiftly and depart for Liverpool on Sunday afternoon, so that she may fulfil her schedule snocked out by the English strike. The company expects her to arrive in Liverpool less than six days later and hustle off to the westward after spending only a day in dock. She has a big booking of American passengers, and as the line has suffered more seriously than any make up some of the deficiency

commodate its patrons. There never has been an attempt by big liner before to fulfil so large a contract in sailing. If all goes well with the plan the Luistania will have covered three trips of more than 3,000 miles each (that is between Liverpool and New York) within three weeks.

\$25,000 GONE FROM MINT.

Disappearance of Gold From Denver At tributed to Carcless Melting. DENVER, Col., Aug. 30. - Another strange

Mint has resulted in a visit here and printed his picture after each one of his investigation by Mint Director Roberts This time \$25,000 has vanished. The investigators say the loss is due to careessness in melting and recommend the discharge of an assistant melter

offered him \$1,500 worth of gold in enstamped coins at his own price. The man said he knew where to get \$25,000 more. The assayer refused to buy and the man

ICEBERG NEAR THE OCEANIC. On Sunday Afternoon the Liner Came Within Two Miles of One.

The White Star liner Oceanic, in yes erday from Southampton, Cherbourg and Queenstown, passed on Sunday afteroon off the Banks a big iceb rg about many of the passengers snapshotted it On Monday night, in a thick fog. the liner was forced to stop in a hurry and back to Densford, until recently a deputy in the avoid collision with a frieght steamship. office of the State mine inspector. It is The jar of the sudden reversal of the engines awoke a lot of passengers and way the German paper which printed tartled those who were awake.

REUNION OF ROCKEFELLERS. ohn D. Will Not Attend the Banquet at

Poughkeepsie and Sends His Regrets. POUGHKEEPSIE. Aug. 30 .- John D. planning to have a big banquet at the Mr. Rockefeller has sent his regrets, but has asked his fellow Rockefellers to drop

feller's married daughter will receive Saturday the Rockefellers will visit Germantown, where the original Rockefeller made his home and where many of the Rockefellers are buried. The dent of Colorado. There will be members of the family present at the reunion from about every State in the Union.

GREAT BEAR SPRING WATER or case of 6 glass stoppered bottles.

PRICE TWO CENTS.

RECALLS IN MANY WAYS MUCH WANTED MAX SCHIEMANGK.

Max Has a Record in Germany for Leaving Jails Without Permission-Man of Same Name Got Himself Into Public Notice Here-Consul Investigating.

The German Consulate in this city is very much interested in the possible identity of a middle aged man who was married at the City Hall on Tuesday under the name of Count Albert Marcel de Passy to a young Swedish girl and a fugitive from justice in Germany named Max Schiemangk. The description of Servants and other unions have discussed the bridegroom corresponds so closely to that of a man who two weeks ago broke jail in Germany for the second time in three months-a man who has the titled alias under which the license was issued -that the Consul raked up all the information he could find vesterday with the idea of notifying his Government if the two prove to be the same man.

The man who walked through the bars of the Bavarian jail in Heilbronn on prosecutor of the town. He said naively that he was compelled to escape because he couldn't look after his rights as long as he was kept in jail so closely.

"I shall soon write my own experiences." he added in a postscript, "and publish them in order to put an end to this web of lies about me.

He signed himself M. Count de Passy-

At the City Hall on Tuesday he said that he was 42 years old, an army engineer, and that his father was Victor L. de Passy and his mother Minniev Ternone. He gave his New York residence as the Herald Square Hotel, as did his bride, who said she was Laila Florence Allendorf, born in New York, the daughter of Leopold Allendorf and Finaliga Rosenblad, both of Sweden. The clerk of this hotel says that he never heard of them. Alderman Frank Smith performed the ceremony, and then the bridegroom said

that he was leaving with his bride for Poughkeepsie. The appearance of the middle aged man who had a military look about him and the fact that the jail breaker Schiemangk had called himself the Count de Passy closed a connecting link in the minds of some of his countrymen who heard about the marriage. They remembered that there was a Max Schiemangk who stood for a brief minute

in the limelight in this city back in 1898. At that time Col. J. Mayer was organizing a German-American regiment of voluneers to go to the Spanish war. So many men came forward in response to the call that Gen. Butterfield consented to look them over one day and to determine what should be done with them. The inspection was set for one of the armories and the German-Americans.

all in citizens' clothes at that time, marched and marched around the floor. Col. Mayer and Gen. Butterfield stood at one side looking them over. It was a pity, they thought, that such good marchers had not been provided with uniforms. Then the last division was heard approaching outside.

The door opened and in came Schiemangk at the head of the line. He was quietly dressed in the full uniform of a German army Captain and in one hand other because of the strike it is ambitious he waved an unsheathed sabre. His ving black mustache the points, but that didn't keep it from flying in the wind. He was an imposing figure, upon which every one looked Gen. Butterfield wanted to know who this was. Col. Mayer said that Schiemangk was scarcely known to him, but that he believed the man had served for a time in the German army as a soldier.

> Police Captain Price, who was on deck wanted to arrest him on the spot. But all that happened was a reproof from Gen. Butterfield.

The military side of his nature seems not to have been neglected by Schieisappearance of gold from the Denver mangk. The German papers which escapes wrote under it the line, "General Schiemangk." It was as an American General, with a record of exceptional service in the Philippines, that he went up and down the map of Germany for a Several months ago a man called on an itime. But he wasn't narrow minded in ssayer at his residence late at night and picking the country which he had served for the offence that landed him in jail last April was obtaining possession of

property as a French General. The cable despatches of that month told of his securing possession of the Schloss Stettinfeld near Heilbronn by representing himself to be the Count de Passy, a General in the French army. He was arrested, but go out of jail somehow and rode away in an automobile with nothing but his pajamas to protect him from the night air. Ten days later he dropped into an inn near Berlin. The daughter of the host looked two miles to the north of her course and at him twice, went and got some clippings from the week's papers and notified

the police. This time the jailers took many oaths that he wouldn't get away a second time. But he did just the same. This is the his picture last describes the second escape:

ccomplished swindler came in contact with the outside world in spite of the sharp-est observation that has been directed against him ever since his first escape One can only be convinced that the "Count Rockefeller's kith and kin are here, pre-pared to hold an annual reunion of the Rockefeller family to-morrow. They are planning to have a big banquet at the communication with his aids. In the first Nelson House, which the Standard Oil place the cell to which "the Count de Passy magnate as the distinguished head of had been brought was situated in such a oraries public whose seals were attached the family has been asked to attend, way that it would have been impossible to vouchers have said that the suchers Mr. Rockefeller has sent his regrets but for one not directly informed of its location to have found it.

Somewhat more than a week ago he was down to his mansion at the Pocantico chained with both feet to a certain fellow prisoner whom he met in daily exercise latchstring will hang out and Mr. Rocke- and to whom he said that he would be out of prison in a short time. He also said to one of the prison guards that it was unnecessary for the State to go to any ex-pense in his case as he would soon break out again. He added that there were no prison walls thick enough to hold him. .
In consideration of this expression of president of the Rockefeller Association is opinion it was decided that the "Count Benjamin F. Rockefeller, a wealthy resishould be chained during the night. Moreover that he should be moved to the safe

cell to which he was brought. It was beieved immediately after the discovery of

A SUMMER A PPETIZER—A teaspoonful of Horsford's Acid Phosphate in a glass of water stimulates appetite and quenches thirst.—Ads.